

layer is an AlN layer.

17. (Amended) The method as claimed in claim 11, wherein said metal layer is a boron layer.

18. (Amended) The method as claimed in claim 17, wherein said metallic nitride layer is a BN layer.

19. (Amended) The method as claimed in claim 11, wherein said metal layer is a gallium layer.

20. (Amended) The method as claimed in claim 19, wherein said metallic nitride layer is a GaN layer.

#### REMARKS

The Applicant is in receipt of the Restriction requirement dated December 11, 2002. Upon review of the claims, it was discovered that claims 14-20, which depended from method claim 11, should have originally be considered as dependent "method" claims. Accordingly, the Applicant is hereby introducing this amendment to properly identify claims 14-20 as method claims, and hereby elects claims 11-20 and 21-23, belonging to group II (method group), to prosecute in this application.

Should the Examiner have any questions concerning this matter, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: )  
)  
Jen-Inn Chyi )  
)  
Application No: 10/039,199 )  
)  
Filed: January 4, 2002 )  
)  
For: BUFFER LAYER OF LIGHT )  
EMITTING SEMICONDUCTOR DEVICE )  
AND METHOD OF FABRICATING THE )  
SAME )

Examiner: Louie, Wai Sing

Group Art Unit: 2814

Date: January 13, 2003

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Marked Up Claims

14. (Amended) The [buffer layer] method as claimed in claim 13, wherein said metallic nitride layer is an InN layer.

15. (Amended) The [buffer layer] method as claimed in claim 11, wherein said metal layer is an aluminum layer.

16. (Amended) The [buffer layer] method as claimed in claim 15, wherein said metallic nitride layer is an AlN layer.

17. (Amended) The [buffer layer] method as claimed in claim 11, wherein said metal layer is a boron layer.

18. (Amended) The [buffer layer] method as claimed in claim 17, wherein said metallic nitride layer is a BN layer.

19. (Amended) The [buffer layer] method as claimed in claim 11, wherein said metal layer is a gallium layer.

20. (Amended) The [buffer layer] method as claimed in claim 19, wherein said metallic nitride layer is a GaN layer.